

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL GLEISSNER

Plaintiff,

- against -

TURK HAVA YOLLARI ANONIM  
ORTAKLIGI,

Defendant.

Civil Action No.: 1:16-cv-8287-JPO

**DECLARATION OF CENK OCAI  
IN SUPPORT OF THY'S MOTION FOR SUMMARY JUDGMENT**

I, Cenk Ocak, being duly sworn, deposes and says:

1. I am a General Manager for Turk Hava Yollari ("THY") and am located in THY's office in Queens, New York.
2. I have knowledge of the statements set forth herein based upon my personal knowledge and, among other things, a review of THY's relevant business records.
3. THY is a corporation organized and existing under the laws of the Republic of Turkey. It has its principal place of business in Istanbul, Turkey.
4. According to THY's records, Plaintiff had a reservation to travel from Catania, Italy (CTA) to Hong Kong (HKG), with an agreed stop in Istanbul, Turkey (IST) on August 28, 2016 ("Initial Reservation").
5. According to THY's records, Plaintiff made another reservation to travel from Catania, Italy (CTA) to Hong Kong (HKG), with an agreed stop in Istanbul, Turkey (IST) on September 1, 2016 ("Subsequent Reservation").
6. Plaintiff's Initial Reservation was not cancelled by or on behalf of Plaintiff and Plaintiff was listed as a "no show" for his Initial Reservation.
7. As a result, Plaintiff's Subsequent Reservation was cancelled in accordance with THY's Conditions of Carriage. Attached as **Exhibit A** is a true and correct copy of relevant

portions of THY's General Conditions of Carriage.

8. Specifically, THY's Conditions of Carriage provide that "if a passenger does not use a reservation and fails to advise the Carrier, Carrier may cancel or request cancellation of any onward or future reservation". *See* Ex. A, Section 7 (Reservations).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 5 day of June 2017 in Queens, New York.

By: \_\_\_\_\_

CENK OCAL